

FEB 04 2008

DOCKET NO. CRD5046USNP

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Donald K. Jones, et al.

Serial No.: 10/738,477

Art Unit: 4111

Filed: December 17, 2003

Examiner: Bradley J. Osinski

For: Activatable Bioactive Implantable  
Medical Device And Method Of UseCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450TERMINAL DISCLAIMER

Dear Sir:

Petitioner, Cordis Neurovascular, Inc., a corporation of the State of Florida, having a registered office at 14000 NW 57<sup>th</sup> Court, Miami Lakes, Florida 33014, represents that it is the Assignee of the entire right, title and interest in and to the subject matter disclosed in the above-captioned patent application, as evidenced by the attached copy of the Assignment from the inventors dated December 4, 2003 to Cordis Neurovascular, Inc., sent on December 17, 2003, for recording in the United States Patent and Trademark Office.

Petitioner, Cordis Neurovascular, Inc., hereby disclaims, under the provisions of 35 USC 253 and 37 CFR 1.321 and 3.73, the terminal part of any patent granted on Application Serial No. 10/738,477 which would extend beyond the expiration date of Application Serial No. 10/868,152 or Application Serial No. 10/738,473 which has issued as United States Patent No. 7,294,123 and hereby agrees that any patent so granted on Application Serial No. 10/738,477 shall be enforceable only for and during such period that the legal title of said patent shall be the same as the legal title to

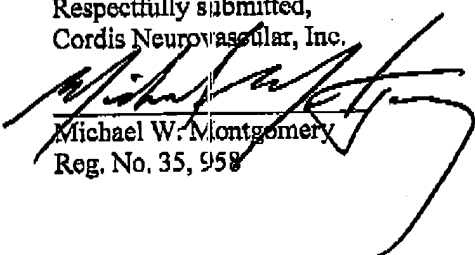
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any patent to issue as set for the above, this agreement to run with any patent granted on Application Serial No. 10/738,477 and to be binding upon the grantee, its successors or assigns.

The Terminal Disclaimer fee of \$130.00 and any additional fees which may be owed in connection with the filing of this Terminal Disclaimer can be charged to Johnson & Johnson Deposit Account No. 10-0750/CRD5046USNP/MWM.

Respectfully submitted,  
Cordis Neurovascular, Inc.



Michael W. Montgomery  
Reg. No. 35, 958

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(786) 313-2922  
Date: January 31, 2008

DOCKET NO. CRD5046  
Joint Inventors

A S S I G N M E N T

Serial No. Unknown  
Filed December 17, 2003

WHEREAS, Donald K. Jones residing at 4945 N.W. 82<sup>nd</sup> Terrace, Lauderhill, Florida 33351, Juan A. Lorenzo residing at 3650 S.W. 106 Terrace, Davie, Florida 33328, Mark L. Pomeranz residing at 11980 Piccadilly Place, Davie, Florida 33325 and Darren Sherman residing at 1216 S.E. 5<sup>th</sup> Court, Ft. Lauderdale, Florida 33301 respectively (hereinafter called "Assignors"), have made certain new and useful inventions or discoveries relating to

ACTIVATABLE BIOACTIVE IMPLANTABLE  
MEDICAL DEVICE AND METHOD OF USE

for which they have on this day executed an application for Letters Patent of the United States; and

WHEREAS, Cordis Neurovascular, Inc., a corporation of the State of Florida, (hereinafter called "Assignee"), is desirous of acquiring Assignors' entire right, title, and interest therein:

NOW, THEREFORE, BE IT KNOWN that for and in consideration of the sum of One Dollar and other valuable considerations to them moving, the receipt of which is hereby acknowledged, Assignors have sold, assigned, and transferred, and do hereby sell, assign and transfer unto said Assignee their entire right, title and interest in and to all said inventions and discoveries disclosed in said application whose identification above by serial number and filing date, when available is hereby authorized, and in and to said application, all substitutions, divisions, and continuations thereof, and in and to all Letters Patent, United States and foreign, that may be granted for said inventions and discoveries, and in and to all extensions, renewals, and reissues thereof, the same to be held and enjoyed by said Assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by Assignors if this Assignment and sale had not been made;

And Assignors hereby authorize and request the Commissioner of Patents of the United States to issue said Letters Patent in accordance with this Assignment;

And for the consideration aforesaid, Assignors covenant and agree with said Assignee that he has a full and unencumbered title to the inventions and discoveries above described and hereby assigned, which title they warrant unto said Assignee, its successors and assigns;

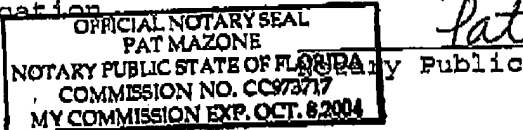
And for the consideration aforesaid, Assignors further covenant and agree that they will, whenever requested, but without cost to them promptly communicate to said Assignee or its representatives any facts known to them relating to said inventions and discoveries, testify in any interference or legal proceedings involving said inventions and discoveries, and execute any additional papers that may be necessary to enable said Assignee or its representatives, successors, nominees, or assigns to secure full and complete protection for the said inventions and discoveries or that may be necessary to vest in said Assignee the complete title to the said inventions and discoveries and patents hereby conveyed and to enable it to record said title.

IN TESTIMONY WHEREOF, Assignor has hereunto set his hand and seal this 4<sup>th</sup> day of December, 2003.

Donald K. Jones  
Donald K. Jones

STATE OF FLORIDA  
COUNTY OF DADE

The foregoing Assignment was acknowledged before me this 4 day of December, 2003, by Donald K. Jones, who is personally known to me or who has produced \_\_\_\_\_ as identification.



IN TESTIMONY WHEREOF, Assignor has hereunto set his hand and seal this 4<sup>th</sup> day of December, 2003.

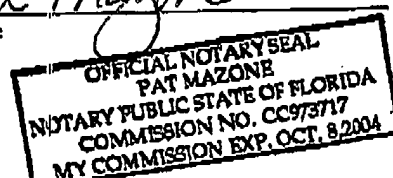
Juan A. Lorenzo  
Juan A. Lorenzo

STATE OF FLORIDA  
COUNTY OF DADE

The foregoing Assignment was acknowledged before me this 4 day of December, 2003, by Juan A. Lorenzo, who is personally known to me or who has produced \_\_\_\_\_ as identification.

Pat Mazine  
Notary Public

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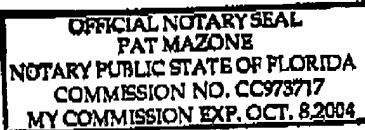


IN TESTIMONY WHEREOF, Assignor has hereunto set his  
hand and seal this 4<sup>th</sup> day of December, 2003.

Mark L. Pomeranz  
Mark L. Pomeranz

STATE OF FLORIDA  
COUNTY OF DADE

Pat Mazon  
The foregoing Assignment was acknowledged before me  
this 4<sup>th</sup> day of December, 2003, by Mark L. Pomeranz, who is  
personally known to me or who has produced \_\_\_\_\_ as  
identification.



Pat Mazon  
Notary Public

IN TESTIMONY WHEREOF, Assignor has hereunto set his  
hand and seal this 4<sup>th</sup> day of December, 2003.

Darren Sherman  
Darren Sherman

STATE OF FLORIDA  
COUNTY OF DADE

The foregoing Assignment was acknowledged before me  
this 4 day of December, 2003, by Darren Sherman, who is  
personally known to me or who has produced \_\_\_\_\_  
as identification.

Pat Mazon  
Notary Public

